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IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM

LOURDES P. AGUON-SCHULTE,) Civil Case No. 04-00046
Plaintiff,) (removed from the Superior Court of Guam
vs.) Civil Case No. CV-1103-04)

THE GUAM ELECTION COMMISSION,)
et al.)
Defendants.)

JAY MERRILL, etc., et al.)
Plaintiff,) (removed from the Superior Court of Guam
vs.) Civil Case No. CV-1111-04)

THE GUAM ELECTION COMMISSION,)
et al.)
Defendants.)

NOTICE OF MOTION
AND

MOTION BY DEFENDANTS FOR ORDER
ISSUING WRIT OF CERTIORARI TO
SUPERIOR COURT OF GUAM FOR
RECORD IN REMOVED ACTIONS

PLEASE TAKE NOTICE THAT the defendants in the above-styled consolidated matters
hereby move the Court for an Order issuing a writ of certiorari to the Superior Court of Guam.

1 pursuant to 28 U.S.C. § 1447(b), requiring the Superior Court to bring all records and
2 proceedings in the above-referenced Superior Court actions to this Court.

3 This motion is based upon this notice, the memorandum of points and authorities filed
4 herewith, and the complete files and records in this action.

5 Respectfully submitted this 29th day of November, 2004.

6 OFFICE OF THE ATTORNEY GENERAL
7 Douglas B. Moylan, Attorney General

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9 ROBERT M. WEINBERG
10 Assistant Attorney General
For All Defendants

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party(ies) with a copy of the foregoing by hand delivery, or by depositing same in the United States Mail, postage prepaid and properly addressed to:

Thomas L. Roberts, Esq.
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For *I Mina' Bente Siete Na Liheslaturan Guåhan*, Legislature of Guam

1 Joaquin C. Arriola, Jr., Esq.
2 Arriola, Cowan & Arriola
3 259 Martyr Street, Suite 201
4 P.O. Box X
5 Hagåtña, Guam 96932
6 For proposed Intervenor, *Lina 'La 'Sin Casino*

7 this 29th day of November, 2004.

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17 ROBERT M. WEINBERG
18 Assistant Attorney General